UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,217	02/28/2002	Eckhardt Harald	Q68604	5098

7590 04/02/2007	EXAMINER
SUGHRUE MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3213	TSEGAYE, SABA

	ART UNIT	PAPER NUMBER
	2616	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/084,217	HARALD, ECKHARDT
	Examiner	Art Unit	
	Saba Tsegaye	2616	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 March 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-8 and 10-15* is/are pending in the application.

    4a)☐ Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 2, 4-8,10 and 12-15* is/are rejected.

7)☒ Claim(s) *11* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Response to Amendment

1.   This Office Action is in response to the amendment filed 03/13/07. Claims 1, 2, 4-8 and

10-15 are pending. Currently no claims are in condition for allowance.

Claim Rejections - 35 USC § 102

2.   Claims 1, 2, 4, 7, 8, 10 and 12-15 are rejected under 35 U.S.C. 102(e) as being

anticipated by Sharma et al. (7,136,382 B1).

Regarding claims 1, 5 and 7, Sharma discloses, in Figs. 1-4 and 6, a network-unit for use

in a telecommunication network and comprising:

- at least one input (401) for receiving a signal comprising a first field (D; fig. 2) which

is directly analyzable (column 7, line 10-15) and a second field (Y.Z; fig. 2) network which is

analyzable after a processing (column 8, lines 14-18; column 5, lines 63-67),

- a first analyzer coupled to said at least one input for analyzing first information

originating from said first field (column 7, line 10-15),

- a processor for performing said processing of second information originating from said

second field (..the packet address information is processed in a manner well known in the art;

column 8, lines 35-36), and

- a second analyzer coupled to said processor for analyzing processed second information

(column 7, lines 30-45),

- at least one output for sending a further signal to a further network-unit and comprising

a third field, which is directly analyzable, and a fourth field which is analyzable after a

processing in said further network-unit (column 8, lines 42-47),

wherein said first analyzer is coupled to said processor (402, 500) for, in dependence of an analysis result of said first information, selecting at least one output and switching at least a port of said signal to said selected output or performing said processing, with said first information comprising non-address information, and with said second information comprising address information defining further network-units (column 7, lines 24-45); wherein the first field (D) comprises a quality field for indicating a quality, with the second field comprising and IP-address field (Y.Z) for indicating an IP address; and wherein at least a part of the quality field is used fro indicating a destination of the signal and a detection of this indication of the destination is the analysis result (column 7, lines 10-45).

Regarding claims 2, 6 and 8, Sharma discloses network unit wherein the network unit further comprises:

- a first generator coupled to said at least one output for generating said third information , and a second generator coupled to said at least one output for generating said fourth information (...the packet is forwarded to another intermediate node where the described process is repeated... column 8, lines 42-48).

Regarding claims 4 and 10, Sharma discloses network-unit wherein the processing corresponds table consultation (500; fig. 4).

Regarding claims 12-14, Sharma discloses the network-unit wherein the first field comprised a plurality of subfields, wherein one of the plurality of subfields comprises first information (D; see fig. 2).

Regarding claim 15, Sharma disclose the network unit wherein the further signal is an output signal of the network-unit, which is sent to a second network unit (column 8, lines 42-48).

3.   Claims 5 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuzawa et al. (2003/0067929 A1).

Regarding claim 5, Matsuzawa discloses, in Figs. 1-4, a network-unit for use in a telecommunication network and comprising:

- at least one input (321, 331) for receiving a signal comprising a first field (cut-through label identifier in the OUI field of the SANP header; steps 403-409) which is directly analyzable (paragraph 0099) and a second field (not cut-through decelerator) network which is analyzable after a processing (0085; 0089; 403-404),

- a first analyzer (341) coupled to said at least one input for analyzing first information originating from said first field (0093),

- a processor (301,305) for performing said processing of second information originating from said second field (0090), and

- a second analyzer (306) coupled to said processor for analyzing processed second information (0090),

- at least one output for sending a further signal to a further network-unit and comprising a third field, which is directly analyzable, and a fourth field which is analyzable after a processing in said further network-unit (0131),

wherein said first analyzer (341) is coupled to said processor for, in dependence of an analysis result of said first information, selecting at least one output and switching at least a port of said signal to said selected output or performing said processing, with said first information comprising non-address information, and with said second information comprising address information defining further network-units (0086-0088).

Regarding claim 6, Matsuzawa discloses network unit wherein the network unit further comprises:

- a first generator coupled to said at least one output for generating said third information (steps 405-409; 0101), and

- a second generator (361) coupled to said at least one output for generating said fourth information (processing unit 361 overwrites the MAC header information, LLC header information, and/or SNAP header information and directly transfers the MAC frame to the output interface without passing the datagram processing unit 301 (0096)).

Allowable Subject Matter

4.   Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5.   Applicant's arguments with respect to claims 1, 2, 4-8 and 10-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (571) 272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ST
March 27, 2007

CHI PHAM
SUPERVISORY PATENT EXAMINER
3/29/07